

## WEITZMAN LAW OFFICES, L.L.C.

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APR - 4 2008

## MEMO ENDORSED

April 4, 2008

Magistrate Judge Debra Freeman. USMJ  
 U.S. District Court  
 Southern District of New York  
 Suite 660  
 500 Pearl Street  
 New York, NY 10007

Re: Eisenberg v. New England Motor Freight, Inc. et  
 al  
 Civil Action File No.: 1:08-cv-01469-VM-DCF  
Our File No. 07-0008

Hon. Judge Freeman:

We represent the Plaintiff, Magda Eisenberg, in the above captioned action.

We made a motion to file late notice of claim and to amend the pleadings returnable on April 7, 2008, in the Federal court. The defendant obtained an extension of the said date to April 18, 2008.

Plaintiff withdraws the said motion from the Federal court and concurrently is filing the same in the state court pursuant to the requirements of the statute.

Thank you.

*Plaintiff's motion for leave to file a late notice of claim against the City of New York (Dkt. 13) is withdrawn per this letter, and the Clerk of the Court is directed to note the withdrawal of the motion on the Docket.*

Respectfully submitted,

RAPHAEL WEITZMAN

RW/us

SO ORDERED: DATE: 4/4/08

.....  
 DEBRA FREEMAN

UNITED STATES MAGISTRATE JUDGE